

2. **LEGISLATION AND EXECUTIVE ORDERS**

A. **Biobased Products and Bioenergy (E.O. 13134)**

On August 12, 1999, President Clinton signed Executive Order 13134 titled “Developing and Promoting Biobased Products and Bioenergy.” According to the executive order, current biobased product and bioenergy technology has the potential to make renewable farm and forestry resources major sources of affordable electricity, fuel, chemicals, pharmaceuticals, and other materials. Technical advances in these areas can create an expanding array of exciting new business and employment opportunities for farmers, foresters, ranchers, and other businesses in rural America. These technologies can create new markets for farm and forest waste products, new economic opportunities for underused land, and new value-added business opportunities. They also have the potential to reduce the Nation’s dependence on foreign oil; improve air quality, water quality, and flood control; decrease erosion; and help minimize net production of greenhouse gases. It is the policy of the Administration to develop a comprehensive national strategy, including research, development, and private-sector incentives, to stimulate the creation and early adoption of technologies needed to make biobased products and bioenergy cost-competitive in large national and international markets.

E.O. 13134 calls for the establishment of an Interagency Council on Biobased Products and Bioenergy that is to prepare annually a strategic plan for the President outlining overall national goals in the development and use of biobased products and bioenergy in an environmentally sound manner and how these goals can best be achieved through federal programs and integrated planning. The goals shall include promoting national economic growth with specific attention to rural economic interests, energy security, and environmental sustainability and protection. These strategic plans shall be compatible with the national goal of producing safe and affordable supplies of food, feed, and fiber in a way that is sustainable and protects the environment, and shall include measurable objectives. The executive order requires the establishment of an Advisory Committee on Biobased Products and Bioenergy, as well as the establishment of a National Biobased Products and Bioenergy Coordination Office.

The term “biomass” means any organic matter that is available on a renewable or recurring basis (excluding old-growth timber), including dedicated energy crops and trees, agricultural food and feed crop residues, aquatic plants, wood and wood residues, animal wastes, and other waste materials. The term “biobased product” means a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials. The term “bioenergy” means biomass used in the production of energy (electricity; liquid, solid, and gaseous fuels; and heat).

For further information, contact Mr. George T. Frampton, Council on Environmental Quality, 722 Jackson Place, NW, Washington, DC 20503, (phone: (202) 456-6224).

B. Environmental Review of Trade Agreements (E.O. 13141)

On November 16, 1999, President Clinton signed Executive Order 13141 titled “Environmental Review of Trade Agreements.” E.O. 13141 commits the United States to a policy of careful assessment and consideration of the environmental impacts of trade agreements. The United States will factor environmental considerations into the development of its trade negotiating objectives. Responsible agencies will accomplish these goals through a process of ongoing assessment and evaluation, and, in certain instances, written environmental reviews. The U.S. Trade Representative and the Chair of the Council on Environmental Quality are to oversee the implementation of this order, including the development of procedures pursuant to this order, in consultation with appropriate foreign policy, environmental, and economic agencies.

Certain agreements that the United States may negotiate shall require an environmental review. These include: (1) comprehensive multilateral trade rounds; (2) bilateral or plurilateral free trade agreements; and (3) major new trade liberalization agreements in natural resource sectors. Agreements reached in connection with enforcement and dispute resolution actions are not covered by this order.

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